

From: Jeff None
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Also, Microsoft has used its dominance to interfere with software that has been legally installed on its customer's machines. It was an axiom in the early 1990s that "DOS was not done until Lotus would not run." Microsoft also used its install programs to interfere with other operating system installs on the computer. I have personally experienced this with DR DOS and IBM's OS/2.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Microsoft needs to be split into at least two separate companies, with all technical communication between the two taking place through publically available documentation, to insure that it no longer takes advantage of undocumented programming features that are not readily available to its competitors.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Microsoft entered into a consent decree with the DoJ in, I believe, 1993, and promptly violated the terms of the decree and suffered no penalty for doing so. It is clear that the company has little regard for legal restrictions upon its behaviour, or for the governmental bodies charged with ensuring that

compliance.

Microsoft's abuse of its position has harmed the entire computing industry. Prices are higher and competing alternatives are fewer. I say this as a professional programmer with more than 12 year's industry experience. I do not mind seeing products and companies disappear due to mismanagement and such, but it distresses me when it is due to abusive and illegal practices of a dominant firm.

Thank you for your time.

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